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1973

Reg. No. K. 107

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVIII] Trivandrum, Monday, 28th May 1973 / 7th Jyaistha 1895 [No. 456

NOTIFICATIONS

UNDER SECTION 6 OF THE KERALA SURVEY AND BOUNDARIES ACT, 1961.

Whereas the Government have directed the survey of lands comprised in survey numbers noted below, it is hereby notified under sub-section (1) of Section 6 of the Kerala Survey and Boundaries Act, 1961, that survey operations will be started in the village soon and the survey numbers of the village noted below will be demarcated and surveyed, and that every person claiming to be interested in the registered lands situated within or adjoining the undermentioned lands is hereby invited to attend immediately either in person or by agent on the Surveyor employed in the locality and also from time to time when called upon for the purpose of pointing out the boundaries and supplying information in connection therewith.

Under sub-section (2) of Section 6 of the said Act, this Notification shall be held to be a valid notice to every person having any interest in the said lands.

Under sub-section(3) of Section 6 of the said Act, all the registered holders are hereby required;

(a) to clear within 15 days by cutting down or removing any trees, jungle, fences, standing crops or other material obstructions, the boundaries or other lines, the clearance of which may be necessary for the purposes of survey; and

33/1562/V.

(b) to provide labour at such time and for such periods as may from time to time be required by furnishing flag holders and Chainmen; and

(c) to provide suitable survey marks and otherwise to give such assistance in the survey as may be demanded under the said Act or the Rules made thereunder.

If any person fails to comply with these requisitions under clauses (a) to (c) mentioned above, the work will be got done by employing hired labour and the cost thereof will be recovered from the defaulters as provided in the Act and Rules made thereunder.

(1)

No. 207/72. 24th May, 1973.

DETAILS OF LAND

District—Quilon.

Taluk—Karunagappally. *Village*—Chavara.

Sy. Nos. 2663 and 2739.

(2)

No. A. 208/72. 24th May, 197?.

DETAILS OF LAND

District—Quilon.

Taluk—Karunagappally. *Village*—Chavara.

Sy. No. 2800.

(3)

No. A. 211/72. 25th May, 1973.

DETAILS OF LAND

District—Quilon.

Taluk—Karunagappally. *Village*—Chavara.

Sy. No. 3267.

(Sd.)
Special Tahsildar,
(L. A.) National Highways,
Chavara.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVIII] Trivandrum, Monday 28th May 1973 / 7th Jyaistha 1895 (Saka) [No. 457

NOTIFICATIONS

Under Section 6 of the Kerala Survey and Boundaries Act, 1961

Whereas the Government have directed the survey of lands comprised in survey numbers noted below it is hereby notified under sub-section (1) of section 6 of the Kerala Survey and Boundaries Act, 1961, that survey operation will be started in the village soon and the survey numbers of the village noted below will be demarcated and surveyed, and that every person claiming to be interested in the registered lands situated within or adjoining the undermentioned lands is hereby invited to attend immediately either in person or by agent on the surveyor employed in the locality and also from time to time when called upon for the purpose of pointing out the boundaries and supplying information in connection therewith.

Under sub-section (2) of section 6 of the said Act, this notification shall be held to be a valid notice to every person having any interest in the said lands.

Under sub-section (3) of section 6 of the above said Act, all the registered holders are hereby required:—

(a) to clear within 15 days by cutting down or removing any trees, jungle, fences, standing crops or other material obstructions, the boundaries or other lines the clearance of which may be necessary for the purposes of survey, and

(b) to provide labour at such time and for such periods as may from time to time be required by furnishing flag holders and chainmen ; and

(c) to provide suitable survey marks and otherwise to give such assistance in the survey as may be demanded under the said Act or the rules made thereunder.

If any person fails to comply with these requisitions under clauses (a) to (c) mentioned above, the work will be got done by employing hired labour and the cost thereof will be recovered from the defaulters as provided in the Act and rules made thereunder.

(1)

No. B1-711/73-3. *18th May* 1973.

DETAILS OF LANDS OF BLOCK No. III

District—Trivandrum. Taluk—Neyyattinkara.

Village—Neyyattinkara.

Survey Numbers.—358, 371, 373 & 374.

(2)

No. B1-745/73-3. *21st May* 1973.

DETAILS OF LANDS OF BLOCK No. IV

District—Trivandrum. Taluk—Neyyattinkara

Village—Neyyattinkara.

Survey Numbers:—349, 359.

K. THRIVIKRAMAN,
Special Deputy Collector for L. A.,
Railways, Trivandrum.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVIII] Trivandrum, Monday, 28th May 1973 / 7th Jyaistha 1895 (Saka) [No. 453

GOVERNMENT OF KERALA

Public Works (Buildings & Communications III) Department

I

DECLARATIONS

(1)

No. 18591/D1/73/PW.

Dated, Trivandrum, 28th May 1973.

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution the President has, in his Notification No. 2/4/63 Judl. II dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to acquisition of land for the purpose of the Union in this State;

And whereas under sub-section (4) of section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to the land specified in the Schedule below;

And whereas the Government are satisfied that the said land has to be acquired for a public purpose:

The Government of Kerala hereby declare under Section 6 of the Act that the land specified in the Schedule below and measuring 0.0005 Hectare be the same a little more or less, is needed for a public purpose, to wit, for widening and strengthening of National Highway 47 from K.M. 474 to 474/200 and under section 7 of the Act direct the Special Tahsildar, L. A. (N. H.), Karunagappally to take order for the acquisition of the land. Further, under sub-section (1) of section 19 of the Act the Government direct that the Collector may take possession of the land on the expiry of fifteen days from the date of publication of the notice mentioned in sub-section (1) of section 9 of the Act.

A plan of the land is kept in the office of the Special Tahsildar for L. A. (N. H.), Karunagappally and may be inspected at any time during office hours.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി യൂണിയന്റെ ആവശ്യത്തിനായി ഈ സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നതു സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവർത്തികൾ തന്റെ 31-5-1963-ാം തീയതിയിലെ 2-4-'63 Judl. II നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെന്റിനെ, ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി, ഭരമേൽപ്പിച്ചിരിക്കയാലും;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം, കേരള ഗവൺമെന്റ് പ്രസ്തുത സംഗതിയുടെ അടിയന്തിരസ്ഥിതി പരിഗണിച്ച്, ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമിക്ക് ബാധകമല്ലെന്ന് നിർദ്ദേശിക്കയാലും;

പ്രസ്തുത ഭൂമി ഒരു പൊതുകാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് ഗവൺമെന്റിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും;

കേരള ഗവൺമെന്റ് താഴെ കാണുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും, 0.0005 ഹെക്ടർ വിസ്തീർണ്ണമുള്ളതുമായ ഭൂമി, അത് മാത്രം തന്നെയോ, അതിൽ അൽപ്പം കുറവോ കൂടുതലോ ആയിരുന്നാലും വേണ്ടതില്ല, ഒരു പൊതുകാര്യത്തിന് അതായത് നാഷണൽ ഹൈവെ 47-ൽ 474 മുതൽ 474/200 കി. മീറ്റർ വരെ വീതി കൂട്ടുന്നതിനും ബലപ്പെടുത്തുന്നതിനും ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിപ്പാൻ ആക്റ്റ് 7-ാം വകുപ്പുപ്രകാരം, കരുനാഗപ്പള്ളി നാഷണൽ ഹൈവെ പൊന്നുംവില സ്പെഷ്യൽ തഹസിൽദാർ എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്ടർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നു, കൂടി ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ കരുനാഗപ്പള്ളി നാഷണൽ ഹൈവെ പൊന്നുംവില സ്പെഷ്യൽ തഹസിൽദാർ എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

District—Quilon.

Taluk—Karunagappally. Village—Karunagappally.

Block No. 16

(The extent given is approximate

Sy. No.—1294/2.

Description—Dry.

Extent—0.0005 Hectare

No. 18592/DI/73/PW.

Dated, Trivandrum, 25th May 1973.

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has in his Notification No 2/4/63 Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to the acquisition of lands for the purpose of the Union in this State;

And whereas under sub-section (4) of section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to the lands specified in the schedule below;

And whereas the Government are satisfied that the said lands have to be acquired for a public purpose;

The Government of Kerala hereby declare under Section 6 of the Act that the lands specified in the schedule below and measuring 00.23 Ares be the same a little more or less, are needed for a public purpose, to wit, for widening and strengthening the N. H. 47 from K. M. 472/880 to 473/060 and under Section 7 of the Act direct the Special Tahsildar, L.A., (N.H.), Karunagapally to take order for the acquisition of the lands. Further, under sub-section (1) of Section 19 of the Act the Government direct that the Collector may take possession of the lands on the expiry of fifteen days from the date of publication of the notice mentioned in sub-section (1) of Section 9 of the Act.

A plan of the lands is kept in the office of the Special Tahsildar, L. A. (N. H.), Karunagappally and may be inspected at any time during office hours.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡമനുസരിച്ച് നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി, യൂണിയന്റെ ആവശ്യത്തിനായി ഈ സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്രഗവൺമെന്റിന്റെ പ്രവൃത്തികൾ തന്റെ 31.5.1963-ാം തീയതിയിലെ 2/4/63/Judl. II നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെന്റിനെ, ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കയാലും;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം കേരള ഗവൺമെന്റ് പ്രസ്തുത സംഗതിയുടെ അടിയന്തിരസ്ഥിതി പരിഗണിച്ച്, ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമികൾക്ക് ബാധകമല്ലെന്ന് നിർദ്ദേശിക്കയാലും;

പ്രസ്തുത ഭൂമി ഒരു പൊതുകാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് ഗവൺമെന്റിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും;

കേരള ഗവൺമെന്റ് താഴെ കാണുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 00.23 ആർസ് വിസ്തീർണ്ണമുള്ളതുമായ ഭൂമി, അത് അത്ര തന്നെയോ, അതിൽനിന്നും കുറവോ കൂടുതലോ ആയിരുന്നാലും, വേണ്ടതിലേക്ക് ഒരു പൊതുകാര്യത്തിന് അതായത് നാഷണൽ ഹൈവെ 47-ൽ 472/880 മുതൽ 473/060 വരെ വീതികൂട്ടുന്നതിനും ബലപ്പെടുത്തുന്നതിനും ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിപ്പാൻ ആക്റ്റ് 7-ാം വകുപ്പുപ്രകാരം കരുനാഗപ്പള്ളി നാഷണൽ ഹൈവെ പൊന്നുംവില സ്പെഷ്യൽ തഹസിൽദാർ എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്ടർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും കൂടി ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ കരുനാഗപ്പള്ളി നാഷണൽ ഹൈവെ പൊന്നുംവില സ്പെഷ്യൽ തഹസിൽദാർ എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

District—Quilon.

Taluk—Karunagappally. Village—Karunagappally.

Block No. 5

(The extent given is approximate)

Sl. No.	*Sy. No.*	*Description*	*Extent Ares*
1	15881/5	Dry	00.02
2	15881/6	"	00.21
		Total	00.23

II

ERRATA NOTIFICATIONS FOR DECLARATIONS

(1)

No. 18593/DI/73/PW.

Dated, Trivandrum 25th May 1973.

In the declaration published on 22-1-1973 at page of extraordinary Kerala Gazette No. 57 relating to the acquisition of land for National Highway in Thekkumbhagam Village in Karunagapplly Taluk.

For

Sy No. and Sub dn. No.	*Description*	*Extent H. A. Sq. Ms.*
817/3		01
819/3		11
	Total	12

Read

Sy. No. and Sub dn. No.	*Description*	*Extent H. A. Sq. Ms.*
817/3	Dry.	01
819/3	"	11
	Total	12

കരുനാഗപ്പള്ളി താലൂക്കിൽ തെക്കുംഭാഗം വില്ലേജിൽ നിന്നും നാഷണൽ ഹൈവെയുടെ ആവശ്യത്തിനുവേണ്ടി ഭൂമി പൊന്നുംവിലയ്ക്കെടുക്കുന്ന കാര്യത്തിൽ 22-1-1973-ലെ 57-ാം നമ്പർ അസാധാരണ ഗസറ്റിൽ പരസ്യപ്പെടുത്തിയിരുന്ന ഡിക്ലറേഷന്റെ പട്ടികയിൽ,

സർവ്വേ നമ്പരും സബ് ഡിവിഷൻ നമ്പരും	വിവരണം	വിസ്തീർണ്ണം ഏ. സെ.
817/3		01
819/3		11
	ആകെ	12
	എന്നതിനുപകരം	
817/3	പുരയിടം	01
819/3	"	11
	ആകെ	12

എന്നു വായിക്കുക.

(2)

No. 18594/D1/73/PW.

Dated, Trivandrum, 26th May 1973.

In the Schedule to the declaration ralating to the acquisition of lands for widening the N. H. 47 of reaches k. m. 475 to 475/290 in Panmana Village Karunagapally Taluk, Quilon District published by the Government in the letter No. 5815/D1/1973/PW. dated 23-2-1973, at page 6 of Extraordinary Gazette No. 149 dated 23-2-1973.,

For

Sy. No.—8190/1.

Read

Sy. No.—8190/2.

കൊല്ലം ജില്ലാ കരുനാഗപ്പള്ളി താലൂക്ക് പന്മന വില്ലേജിൽ നാഷണൽഹൈവേ 47-ന്റെ റീച്ചസ് 475 മുതൽ 475/290 വരെയുള്ള ഭാഗം വീതികൂട്ടുന്നതിനു വേണ്ടി ഭൂമി പൊന്നുംവിലയ്ക്കെടുക്കുന്ന കാര്യത്തിൽ കേരളഗവൺമെൻറിന്റെ 23-2-1973-ം തീയതിയിലെ 5815/D1/1973/PW നമ്പർ നോട്ടിഫിക്കേഷൻ 149-ം നമ്പർ അസാധാരണ ഗസററ് 6-ാം പേജിൽ പ്രസിദ്ധം ചെയ്ത ഡിക്ലറേഷൻ നോട്ടിഫിക്കേഷന്റെ പട്ടികയിൽ

സർവ്വെ 8190/1 എന്നുള്ളത്

സർവ്വെ 8190/2 എന്നു തിരുത്തിവായിക്കുക.

(3)

No. 18596/D1/73/PW.

Dated, Trivandrum, 26th May 1973.

In the Schedule to the declaration ralating to the acquisition of land for the widening of N. H. 47 between k. m. 474/600 to 474/800 in Panmana Village, Karunagapally Taluk, Quilon District published by the Government in their letter No. 6973/D1/73/PW. dated 6-3-1973 at the page 3 of Extraordinary Gazette No. 192 dated 6-3-1973.

For

Sy. No.—8344/5.

Read

Sy. No.—8344/8.

കൊല്ലം ജില്ലയിൽ കരുനാഗപ്പള്ളി താലൂക്കിൽ പന്മന വില്ലേജിൽ നാഷണൽഹൈവേ 47-ൽ റീച്ച് 474/600 മുതൽ 474/800 വരെയുള്ളഭാഗം വീതികൂട്ടുന്നതിനുവേണ്ടി പൊന്നുംവിലയ്ക്കെടുക്കുന്നതിനായി കേരള സർക്കാരിന്റെ 6-3-1973-ം തീയതിയിലെ 6973/D1/73/PW നമ്പർ നോട്ടിഫിക്കേഷനിൽ 192-ം നമ്പർ അസാധാരണ ഗസററ് 3-ാം പേജിൽ പ്രസിദ്ധം ചെയ്ത ഡിക്ലറേഷൻ നോട്ടിഫിക്കേഷന്റെ പട്ടികയിൽ

സർവ്വെ 8344/5 എന്നത്

സർവ്വെ 8344/8 എന്നു തിരുത്തിവായിക്കുക.

III

NOTIFICATION

No. 18595/D1/73/PW.

Dated, Trivandrum, 26th May 1973.

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has in Notification No. 2-4-63 Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962); in relation to the acquisition of land for the purpose of the Union in the Kerala State;

And whereas it appears to the Government of Kerala that the land specified in the schedule below is needed or is likely to be needed for a public purpose, to wit, for widening and strengthening of National Highway from k. m. 481/700 to 482 notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 3 (1) of the said Act.

Under sub-section (4) of section 19 of the said Act the Government direct that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to this case.

ഇന്ത്യൻ ഭരണഘടനയുടെ 258-ാം വകുപ്പിലെ 1-ാം ഉപവകുപ്പ് അനുശാസിക്കുന്ന അധികാരമുപയോഗിച്ച് ഇന്ത്യൻ പ്രസിഡൻറ് 1963-മാണ്ട് മേയ് മാസം 31-ാം തീയതിയിലെ 2-4-63 Judl. II-ാം നമ്പർ നോട്ടിഫിക്കേഷൻപ്രകാരം കേരള ഗവൺമെൻറിനെ അവരുടെ സമ്മതത്തോടുകൂടി 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962-ലെ 21-ാം ആക്ററ്) പ്രകാരം കേരള സംസ്ഥാനത്തിന് കേന്ദ്ര ഗവൺമെൻറ് ആവശ്യത്തിലേക്ക് എടുക്കുവാൻ ഉദ്ദേശിക്കുന്ന ഭൂമിയെ സംബന്ധിച്ചിടത്തോളം കേന്ദ്ര ഗവൺമെൻറിന്റെ പ്രവർത്തികൾ ചെയ്യുവാൻ ഏൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ വിവരിക്കുന്ന ഭൂമി ഒരു പൊതു കാര്യത്തിന് അതായത് നാഷണൽ ഹൈവേ 47-ൽ 481/700 കിലോ മീററർമുതൽ 482 കിലോമീററർവരെ വീതി കൂട്ടുന്നതിനും ബലപ്പെടുത്തുന്നതിനും ആവശ്യമാണെന്ന് കേരള ഗവൺമെൻറിന് ബോദ്ധ്യമായിരിക്കയാലും അപ്രകാരം ആവശ്യപ്പെടുന്ന അറിയിപ്പ് ടി ആക്ററ് 3 (1) എന്ന വകുപ്പിലെ വ്യവസ്ഥകൾ അനുസരിച്ച്, അതുസംബന്ധിച്ച എല്ലാപേർക്കും ഇതിനാൽ നൽകിയിരിക്കുന്നു.

ടി ആക്ററ് 19-ാം വകുപ്പ് 4-ാം ഉപവകുപ്പുപ്രകാരം ഉളള ഈ സംഗതിയുടെ അടിയന്തിരാവസ്ഥ പരിഗണിച്ച് ഇതിൽ ടി ആക്ററ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ബാധകമല്ലെന്നും ഗവൺമെൻറ് നിർദ്ദേശിച്ചിരിക്കുന്നു.

SCHEDULE

District—Quilon.

Taluk—Karunagappally. Village—Chavara.

(The extent given is approximate)

Sy. No.—3267/3.

Extent—00.04 Are.

IV

CANCELLATION NOTICE

No. 18597/D1/73/PW.

Dated, Trivandrum, 26th May 1973.

The Government of Kerala cancels the proceeding under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962) for the acquisition of land specified below, undertaken in pursuance of the notification published at page 4 of the Kerala Gazette extraordinary No. 780 dated 20-12-1972 as the land in

question has since been found to belong to the Government devolved on the Government and no Acquisition Proceedings are necessary or applicable.

താഴെ പട്ടികയിൽ വിവരിക്കുന്നതും 1961-ലെ കേരള ലാൻഡ് അക്വിസിഷൻ ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) അനുസരിച്ച് 1972 ഡിസംബർ 20-ാം തീയതിയിലെ 780-ാം നമ്പർ അസാധാരണ ഗസറ്റ് നാലാം പേജിൽ പരസ്യപ്പെടുത്തിയതിൻ പ്രകാരം സ്ഥലമെടുപ്പ് നടപടിയിൽ ഇരിക്കുന്നതുമായ ടി വസ്തുക്കൾ ഗവൺമെന്റ് വസ്തുക്കൾ ആണെന്ന് കണ്ടിരിക്കുന്നതിനാൽ അനന്തരനടപടികൾ ആവശ്യമില്ലെന്നും ബാധകമല്ലെന്നും കണ്ടിരിക്കുന്നു.

District—Quilon.

Taluk—Karunagappally. Village—Karunagappally.

Block No.—61.

DESCRIPTION OF LAND WITH SURVEY NUMBER

Sy. No.—16057.

Description—Poramboke.

Extent—01.21 Are.

V

WITHDRAWAL NOTIFICATION

No. 18597/D1/73/PW.

Dated, Trivandrum, 26th May 1973.

Under section 52 (1) of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the land mentioned in the schedule hereto annexed and in respect of which Land Acquisition Proceedings were initiated as per the Notification No. 50153/B3/72/PW dated 20-12-1972 of the Public Works (Buildings and Communications-I) Department and published on page 4 of the Kerala Extraordinary Gazette No. 780 dated 20-12-1972.

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ്, 1962-ലെ 21-ാം ആക്റ്റ് 52 (1) എന്ന വകുപ്പു പ്രകാരം കേരള ഗവൺമെന്റ് ഇതോടു ചേർക്കപ്പെട്ട പട്ടികയിൽ പറഞ്ഞിരിക്കുന്നതും 20-12-1972-ലെ കേരള അസാധാരണ ഗസറ്റിൽ നാലാം പേജിൽ കരുനാഗപ്പള്ളി സ്പെഷ്യൽ തഹശീൽദാരുടെ 4-12-1972-ലെ A581/72-ാം നമ്പരിൽ പ്രസ്തുത ആക്റ്റ് 3 (1) എന്ന വകുപ്പു പ്രകാരം പരസ്യം ചെയ്തിട്ടുള്ളതുമായ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിൽനിന്ന് ഇതിനാൽ പിൻവാങ്ങിയിരിക്കുന്നു.

SCHEDULE

District—Quilon.

Taluk—Karunagapally. Village—Karunagapally.

Desom—Karunagapally.

Sy. No.—14499.

Extent—00.40 Ares.

By order of the Governor,

S. J. ELIAZER,

Deputy Secretary.

PRINTED AND PUBLISHED BY THE S. C. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1973.

Government of Kerala
1973

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVIII] Trivandrum, Monday, 28th May 1973/7th Jyaistha 1895 (Saka) [No. 458

NOTICE

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961
(ACT 21 OF 1962)

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which are required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the lands are required to appear in person or by authorised agent, on the date, time and place noted below and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the lands and the amount and particulars of their claim to compensation for such interests in the lands and their objections, if any, to the measurements made under section 8 of the Act.

Note—If the persons interested refuse to make a claim to compensation or omit without sufficient reasons, to make such claim, the amount to be awarded by the Court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under Section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം ഒരു പൊതുകാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെന്റ് ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ, അധികൃത ഏജന്റുമുഖേനയോ താഴെപറയുന്ന തീയതിയിലും സ്ഥലത്തും സമയത്തും ഹാജരാകുകയും, ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും, ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങളെ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തർച്ചയുടെ തുകയും വിവരങ്ങളും, ആക്റ്റ് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവു സംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്ന് കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും, അവരോ അവരുടെ ഏജന്റുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റ്റേറ്റുമെന്റ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്:—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തർച്ചപ്പെടുത്താൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ തർച്ചപ്പെടുത്തുന്നതിൽ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്നപക്ഷം, അവരുടെ അപേക്ഷയിന്മേൽ കോടതിക്ക് റഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്റ്റ് 11-ാം വകുപ്പുപ്രകാരം കളക്ടർ വിധിച്ചുകൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

L. A. C-50/73. 24th May 1973.

Date, time and place of appearance—On 8-6-1973 at 10 a.m. before the Special Tahsildar (L. A.) N. H. No. III, Edappally.

Particulars of lands

District—എറണാകുളം. Taluk—കണയന്നൂർ.

Village—ഇടപ്പള്ളി തെക്ക്

Description—പുരയിടം.

Survey No.	*Extent in Hectare*
94/7A3	0.2650
A4	0.0445
Total	0.3095

Edappally.

(Sd.)
Special Tahsildar (L. A.) N.H. No. III.

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33 1564/B

Government of Kerala
1973

Reg. No. K. 107.

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EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVIII] Trivandrum, Monday, 28th May 1973 / 7th Jyaistha 1895 (Saka) [No. 460

NOTICE

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961 (ACT 21 OF 1962)

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which is required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the lands are required to appear in person or by authorised agent on the date, time and place noted below and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the lands and the amount and particulars of their claim to compensation for such interests in the land and their objections, if any to the measurements made under section 8 of the Act.

Note.—If the persons interested refuse to make a claim to compensation or omit without sufficient reasons, to make such claim, the amount to be awarded by the Court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under Section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം ഒരു പൊതുകാര്യത്തിന് ആവശ്യപ്പെട്ടിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെന്റുദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാവരും നേരിട്ടോ, അധികൃത ഏജന്റുമുഖേനയോ താഴെ പറയുന്ന തീയതിയിലും സ്ഥലത്തും സമയത്തും ഹാജരാകുകയും, ഭൂമിയിൽ അവരവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങൾ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള അവകാശത്തിന്റെ തുകയും വിവരങ്ങളും, ആക്റ്റ് 8-ാം വകുപ്പു പ്രകാരം എടുത്തിട്ടുള്ള അളവു സംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും എന്താണെന്ന് കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും അവരവരോ അവരുടെ ഏജന്റുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റ്റേറ്റ്മെന്റ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്:—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് ക്ലെയിം ചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ ക്ലെയിം ചെയ്യാൻ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്നപക്ഷം അവരുടെ അപേക്ഷയിന്മേൽ കോടതിക്ക് റെഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്റ്റ് 11-ാം വകുപ്പു പ്രകാരം കളക്ടർ വിധിച്ചുകൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

(1)

No. A4-277/73. 25th *May* 1973.

Date, time and place of appearance—On 22-6-1973 at 11 a.m. before the Special Tahsildar for L.A. (N.H.), Quilon.

PARTICULARS OF LANDS

District—Quilon.

Taluk—Karunagappally. Village—Thekkumbhagom.

Sy. No.	*Description*	*Extent A.*	*Sq. M.*
574/3	Dry	0	18
575/3	,,	0	92
577/3	Wet	0	29
578/3	,,	0	04
602/4	Dry	1	50
	Total	2	93

(2)

No. A4-235/73. 25th *May* 1973.

Date, time and place of appearance—On 22-6-1973 at 11 a.m. before the Special Tahsildar for L.A. (N. H.) Quilon.

PARTICULARS OF LANDS

District—Quilon.

Taluk—Karunagappally. Village—Thekkumbhagom.

Sy. No.	*Description*	*Extent A.*	*Sq. M.*
583/8	Wet & Dry	2	65
583/9	Dry	1	30
583/10	,,	0	02
583/11	,,	0	50
585/3	,,	0	03
586/3	,,	2	90
590/5	Wet	0	50
590/6	,,	1	05
594/A3	Dry	1	23
594/A4	,,	3	25
	Total	12	53

Quilon.

P. GOPALAKRISHNAN,
Special Tahsildar for L. A. (NH)

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33/1566/S

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVIII] Trivandrum, Monday, 28th May 1973 / 7th Jyaistha 1895 (Saka) [No.461

NOTIFICATIONS

Under Section 6 of the Kerala Survey and Boundaries Act, 1961

Whereas the Government have directed the survey of lands comprised in survey numbers noted below it is hereby notified under sub-section (1) of Section 6 of the Kerala Survey and Boundaries Act, 1961, that survey operations will be started in the villages soon and the survey numbers of the villages noted below will be demarcated and surveyed and that every person claiming to be interested in the registered lands situated within or adjoining the undermentioned lands is hereby invited to attend immediately either in person or by agent on the surveyor employed in the locality and also from time to time when called upon for the purpose of pointing out the boundaries and supplying information in connection therewith.

Under sub-section (2) of Section 6 of the said Act, this notification shall be held to be a valid notice to every person having any interest in the lands.

Under sub-section (3) of Section 6 of the above said Act, all the registered holders are hereby required:

(a) to clear within 15 days by cutting down or removing any trees, jungle, fences, standing crops or other material obstructions, the boundaries or other lines the clearance of which may be necessary for the purposes of survey; and

(b) to provide labour at such time and for such periods as may from time to time be required by furnishing flag holders and chainmen; and

(c) to provide suitable survey marks and otherwise to give such assistance in the survey as may be demanded under the said Act or the rules made thereunder.

If any person fails to comply with these requisitions under clauses (a) to (c) mentioned above, the work will be got done by employing hired labour and the cost thereof will be recovered from the defaulters as provided in the Act and Rules made thereunder.

(1)

No. NHID-774/73. 23rd May 1973.

DETAILS OF LANDS

District—Trichur

Taluk—Trichur. Village—Ollukkara.

Trichur Bye-pass—Block No. 2.

Sl. No.	Sy. No.
1	431
2	433
3	434
4	436

(2)

No. NHID-775/73. 21st May 1973.

DETAILS OF LANDS

District—Trichur.

Taluk—Trichur. Village—Ollukkara

Trichur Bye-pass—Block No. 3.

Sl. No.	Sy. No.
1	422
2	429

(3)

No. NHID-776/73. 23rd May 1973.

DETAILS OF LANDS

District—Trichur.

Taluk—Trichur. Village—Ollukkara.

Trichur Bye-pass—Block No. 4

Sl. No.	Sy. No.
1	489
2	490
3	491
4	492
5	493

(4)

No. NHID-777/73. *23rd May* 1973.

DETAILS OF LANDS.

District—Trichur.

Taluk—Trichur. Village—Ollukkara.

Trichur Bye-pass—Block—No. 5.

Sl. No.	*Sy. No.*
1	481
2	482
3	483
4	494

(5)

No. NHID-778/73. *23rd May* 1973.

DETAILS OF LANDS.

District—Trichur.

Taluk—Trichur. Village—Nadathara.

Block No. VI, Trichur Bye-pass.

Sl. No.	*Sy. No.*
1	140/1
2	140/2
3	141
4	143

(6)

No. NHID-779/73. *23rd May* 1973.

DETAILS OF LANDS

District—Trichur.

Taluk—Trichur. Village—Nadathara.

Block No. VII, Trichur Bye-pass.

Sl. No.	*Sy. No.*
1	129/1
2	129/2
3	129/3
4	130/1
5	130/2
6	130/3
7	131/1
8	142

(7)

No. NHID-780/73. *23rd May* 1973.

DETAILS OF LANDS

District—Trichur.

Taluk—Trichur. Village—Nadathara.

Block No. VIII, Trichur Bye-pass.

Sl. No.	*Sy. No.*
1	122/1
2	123
3	124/2
4	124/4

(Sd.)
Special Tahsildar No. I,
(L. A.) N. H.

Trichur-3.

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Government of Kerala
1973

Reg. No. K. [illegible]

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVIII] Trivandrum, Monday, 28th May 1973 / 7th Jyaistha 1895 [No. 459

GOVERNMENT OF KERALA

Local Administration & Social Welfare Department

NOTIFICATION

No. 18010/G2/73/LA&SWD. *Dated, Trivandrum, 23rd May* 1973.

The following draft of certain amendments to the Calicut Town Planning Trust Rules, 1973 published as S.R.O. No. 209/73 in the Gazette Extraordinary dated 30-3-1973 which the Government of Kerala propose to make in exercise of the powers conferred by sub-section (i) of Section 54 of the Madras Town Planning Act, 1920 (Act VII of 1920) is hereby published for general information as required by Section 44A of the said Act.

Notice is hereby given that the said draft, will be taken up for consideration on or after 1-6-1973 and that any objection or suggestion which may be received from any person in respect of the said draft before the date specified above will be considered by the Government. Objections and suggestions shall be addressed to the Secretary to Government, Local Administration and Social Welfare Department.

DRAFT AMENDMENTS

In the said rules: (1) in sub-rule (2) of rule 4 the words and figure "of rule 3 provided that the duties and powers exercisable by the Directors in the said sub-rules in respect of the election of trustees by Municipal Council shall be exercised by the Deputy Director in respect of election of Trustees by the Panchayats" shall be deleted.

(2) After sub-rule (2) of rule 4 the following sub-rules shall be inserted namely:—

(3) (a) Where a Trustee or trustees have to be elected by the members of more than one Panchayat the election of the Trustee or Trustees by the Panchayats shall be held in accordance with the provisions hereinafter mentioned.

(b) The members of the Panchayats concerned shall form the electorate for the purpose of the election. The Deputy Director shall prepare and publish a list of such electors on the notice board of his office and the Panchayat offices concerned. The Deputy Director shall by notice call for nominations from the members of the Panchayats concerned in writing to reach him before such date and time as may be specified in the notice, such date being not less than seven days from the date of publication of the notice in the Panchayat offices concerned.

(c) A candidate for election to the Trust shall be proposed by an elector included in the list published by the Deputy Director and the candidate shall indicate in the nomination form his willingness to serve the Trust if elected.

(d) As soon as may be after the time fixed for receipt of nominations is over, the Deputy Director shall prepare a list of nominations received and publish copies of the same on the notice boards of his office and the Panchayat offices concerned.

(e) After the publication of the list of nominations, the Deputy Director shall send by post under certificate of posting to each elector a ballot paper signed and sealed by him on which the names of all the candidates shall be printed, typed or legibly written in ink in the following form:

Sl. No.	*Name of Candidate*
1	
2	
3	
4	
etc.	

(f) The ballot papers sent to the electors under clause (e) shall be serially numbered. The serial number of the ballot papers issued shall be noted against the name of the elector to whom it is issued, in a copy of the list of electors at the time of issue and this copy shall be kept in a sealed cover in the custody of the Deputy Director and shall be opened only if there is any complaint and by a competent authority or by a court of law.

(g) Every elector wishing to vote shall place a mark 'x' against the name of the candidate for whom he wishes to vote and return the ballot paper so marked in a sealed cover to the Deputy Director, by registered post, to

reach him before such time and date as may be fixed for the purpose. Each elector shall have only one vote irrespective of the number of vacancies to be filled up. Any ballot paper on which the mark 'x' is placed against more than one name shall be treated as invalid strict secrecy shall be maintained by the electors in marking ballot papers. On the day next to the day fixed for the receipt of the ballot papers from the electors, the Deputy Director shall open the sealed covers containing the ballot papers at such time and place as may be fixed by him under intimation to the candidates in the presence of the candidates or their authorised agents who are present and count the votes cast and declare the results of the election in accordance with the following instructions:—

(i) If there is only one vacancy, the candidate who secures the largest number of votes shall be declared to have been elected. In the event of there being an equality of votes between two candidates, the Deputy Director shall draw lots in the presence of the candidates and the person whose name is first drawn shall be declared to have been elected.

(ii) If there are two or more vacancies, such number of candidates equal to the number of vacancies who secure the largest number of votes shall be declared to have been elected.

(4) On the declaration of the results of election under sub-rule (2) or clause (g) of sub-rule (3), the Deputy Director shall intimate the Government the name or names of the candidates declared elected and a copy of the list of the names of the persons shall also be sent to the Chairman".

By order of the Governor,

ZACHARIAH MATHEW,
Secretary to Government.

Explanatory Note

This is not part of the notification, but is intended to indicate its general purport of the notification.

As per the rules published in G.O. (Ms) 158/73/LA & SWD dated 30-3-1973, the election of the 4 Trustees by the eleven Panchayats included in the jurisdiction of the Calicut Town Planning Trust is governed by rule 4 of the rules. In the sub-rule (2) of rule 4 of the rules, it is stated that the Deputy Director of Panchayats has to conduct the election in accordance with the procedure laid down in sub-rules (3) and (4) of rule 3. Sub-rules (3) and (4) were not included in the rules already published due to an omission. The above said reason necessitated the issue of this notification.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1973.

Fourth Kerala Legislative Assembly
Bill No. 146.

THE KERALA BUILDING TAX BILL, 1973

A

BILL

to provide for the levy of a tax on buildings.

Preamble.—WHEREAS it is expedient to provide for the levy of a tax on buildings;

BE it enacted in the Twenty-fourth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Building Tax Act, 1973.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 1st day of April, 1970.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "annual value" of a building means the gross annual rent at which the building may at the time of completion be expected to let from month to month or from year to year;

(b) "appellate authority" means an appellate authority appointed under section 4;

(c) "assessee" means a person by whom building tax or any other sum of money is payable under this Act and includes every person in respect of whom any proceeding under this Act has been taken for the assessment of the building tax payable by him;

(d) "assessing authority" means an assessing authority appointed under section 4;

(e) "building" means a house, out-house, garage, or any other structure, or part thereof, whether of masonry, bricks, wood, metal, or other material, but does not include any portable shelter or any shed constructed principally of mud, bamboos, leaves, grass or thatch or a latrine which is not attached to the main structure;

(f) "capital value" of a building means the value arrived at by multiplying the annual value of a building by sixteen;

(g) "local authority" means a municipal corporation or a municipal council or a township committee or a panchayat or a cantonment board;

(h) "major repair or improvement" means a repair or improvement costing more than ten thousand rupees;

(i) "owner" includes a person who for the time being is receiving or is entitled to receive, the rent of any building whether on his own account or on account of himself and others or as an agent, trustee, guardian or receiver for any other person or who should so receive the rent or be entitled to receive it if the building or part thereof were let to a tenant;

(j) "prescribed" means prescribed by rules made under this Act

3. *Exemptions.*—(i) Nothing in this Act shall apply to—

(a) buildings owned by the Government of Kerala or the Government of India or any local authority; and

(b) buildings used principally for religious, charitable, or educational purposes or as factories or workshops.

Explanation.—For the purposes of this sub-section, "charitable purpose" includes relief of the poor and medical relief.

(2) If any question arises as to whether a building falls under sub-section (1), it shall be referred to the Government, and the Government shall decide the question after giving the interested parties an opportunity to present their case.

(3) A decision of the Government under sub-section (2) shall be final and shall not be called in question in any court of law.

4. *Authorities.*—(1) The Government may, by notification in the Gazette, appoint such officers as they think fit to be assessing authorities for the purposes of this Act and may assign to them such local limits as the Government may think fit.

(2) The Government may, by notification in the Gazette, appoint such officers as they think fit to be appellate authorities for the purposes of this Act and may assign to them such local limits as the Government may think fit.

(3) All officers and persons employed in the execution of this Act shall observe and follow the orders, instructions and directions of the Board of Revenue:

Provided that no such orders, instructions or directions shall be given so as to interfere with the discretion of the appellate authority in the exercise of its appellate functions.

5. *Charge of building tax.*—(1) Subject to the other provisions contained in this Act, there shall be charged a tax (hereinafter referred to as "building tax") at the rate specified in the Schedule in respect of every building the construction of which is completed on or after the 1st day of April, 1970, and the capital value of which exceeds ten thousand rupees.

(2) Every major repair of or improvement to a building, made on or after the 1st day of April, 1970 shall be liable to the building tax at the rate referred to in sub-section (1) on the difference between the capital value of the building before effecting the major repair or improvement, as the case may be, and the capital value of the building after effecting the major repair or improvement.

(3) A building the construction of which is completed on or after the 1st day of April, 1970, and which is not liable to be taxed under the provisions of this Act on account of its having capital value of not more than ten thousand rupees, shall become liable to be so taxed, if the capital value of the building subsequently increases to more than ten thousand rupees by new constructions or additions or combinations or as a result of repairs or improvements to the building.

(4) Where the capital value of a building which has already been taxed under this Act is subsequently increased by new extensions or additions or combinations or as a result of repairs or improvements, building tax shall be computed on the capital value of the building including that of the new extensions or additions or combinations as the case may be, of the building as so repaired or improved, and credit shall be given to the tax already levied.

(5) Where there are out-houses, garages or other structures appurtenant to the main building, the capital value of such structures shall be determined in the manner specified in section 6 and the capital value so obtained shall be added on to the capital value of the main building.

(6) The building tax shall be payable by the owner of the building.

Explanation 1.—For the purposes of this Act, the construction of a building shall be deemed to have been completed when it is ready for occupation or has been actually occupied, whichever is earlier.

Explanation 2.—For the purposes of assessment under sub-section (3) or sub-section (4), capital value of a building shall be the capital value on the date of completion of the new constructions or additions or combinations as the case may be, on the date of completion of the repairs or improvements.

6. *Determination of capital value.*—(1) For determining the capital value for the purposes of this Act, the annual value of a building shall be the annual value fixed for that building in the assessment books of the local authority within whose area the building is situate.

(2) Notwithstanding anything contained in sub-section (1) if the assessing authority is of opinion that the annual value fixed for a building in the assessment books of the local authority is too low, it may after giving the person or persons affected thereby an opportunity of being heard, fix the annual value of the building.

(3) Where the local authority has not fixed the annual value of a building in any case falling under sub-section (2) or sub-section (3) or sub-section (4) of section 5 within a period of six months after the completion of the repair or improvement or the extension or addition or combination, as the

case may be, the assessing authority may, after giving the person or persons affected thereby an opportunity of being heard, assess the annual value of the building.

(4) In determining the annual value under sub-section (2) or sub-section (3), the assessing authority shall have regard to the following factors namely:—

(a) the location of the building;

(b) the nature and quality of the structure of the building;

(c) the capability of the building for profitable use;

(d) amenities provided in the building;

(e) access to the building from public roads or water ways;

(f) the value of the land on which the building is constructed;

(g) the estimated cost of construction of the building;

(h) such other factors as may be prescribed.

7. *Return of completion, etc., of building.*—(1) The owner of every building—

(a) the construction of which is completed on or after the 1st day of April, 1970, and the estimated capital value of which is more than ten thousand rupees; or

(b) to which major repairs or improvements are made after the said date; or

(c) the construction of which has been completed before the 1st April, 1970, and whose capital value is enhanced to more than ten thousand rupees after that date due to new constructions, additions or combinations or as a result of repairs or improvements,

shall furnish to the assessing authority a return in the prescribed form and verified in the prescribed manner and containing such particulars as may be prescribed.

(2) A return under sub-section (1) shall be furnished—

(a) in the case of buildings the construction of which has been completed before the date of publication of this Act in the Gazette, within two months from that date;

(b) in the case of major repairs or improvements or new constructions, or additions or combinations, or other repairs or improvements, made before the date of publication of this Act in the Gazette, within two months from that date;

(c) in other cases, within two months from the date of completion of the construction of the building or the completion of the repairs or improvements or the new extensions or additions or combinations.

(3) If the assessing authority is of opinion that any person is liable to furnish a return under sub-section (1), then, notwithstanding anything contained in that sub-section, it may serve a notice upon that person requiring him to furnish within such period not being less than thirty days from the date of service of the notice, as may be specified in the notice, a return in the prescribed form and verified in the prescribed manner and containing such particulars as may be specified in the notice.

(4) The assessing authority may, if it is satisfied that it is necessary so to do, extend the date for the furnishing of the return under this section.

8. *Return after due date and amendment of return.*—If any person has not furnished a return within the time allowed by or under section 7, or having furnished a return under that section discovers any omission or wrong statement therein, he may furnish a return or a revised return, as the case may be, at any time before the assessment is made.

9. *Assessment.*—(1) If the assessing authority is satisfied that a return made by an owner under section 7 or section 8 is correct and complete, it shall assess the amount payable by him as building tax on the basis of the return.

(2) If the assessing authority is not so satisfied, it shall serve a notice on the assessee either to attend in person at its office on a date to be specified in the notice or to produce or cause to be produced on that date any evidence on which the assessee may rely in support of his return.

(3) The assessing authority, after hearing such evidence as the assessee may produce and such other evidence as it may require on any specified point and after conducting such enquiries or inspection as it may consider necessary, shall, by order in writing, assess the amount payable by him as building tax.

(4) For the purpose of making an assessment under this Act, the assessing authority may serve on any person who has made a return under sub-section (1) of section 7 or section 8 or upon whom a notice has been served under sub-section (3) of section 7, a notice requiring him to produce or cause to be produced on a date specified in the notice such records or other documents as the assessing authority may require.

(5) If any person fails to make a return in response to any notice under sub-section (3) of section 7, or fails to comply with the terms of any notice issued under sub-section (2) or sub-section (4) of this section, the assessing authority shall assess the amount payable by the person as building tax to the best of its judgment.

10. *Notice of demand.*—When any building tax is due in consequence of any order passed under or in pursuance of this Act, the assessing authority shall serve on the assessee a notice of demand in the prescribed form specifying the sum so payable.

11. *Appeals.*—(1) Any assessee objecting to the amount of building tax assessed under section 9 or denying his liability to be assessed under this

Act or objecting to any order of the assessing authority under this Act may appeal to the appellate authority against the assessment or against such order:

Provided that no such appeal shall lie unless the building tax has been paid.

(2) An appeal under sub-section (1) shall be in the prescribed form and shall be verified in the prescribed manner.

(3) The appeal shall be presented within a period of thirty days from the date of service of the notice of demand relating to the assessment or the date of service of the order, as the case may be, but the appellate authority may admit an appeal presented after the expiration of the said period, if it is satisfied that the appellant had sufficient cause for not presenting it within the said period, provided however that no such appeal shall be admitted after a period of six months from the date of service of the notice of demand relating to the assessment or the date of service of the order, as the case may be.

(4) The appellate authority shall fix a day and place for the hearing of the appeal and may from time to time adjourn the hearing and make or cause to be made such further inquiry as it thinks fit.

(5) At the hearing of the appeal, the assessing authority shall also have a right to be heard.

(6) In disposing of an appeal, the appellate authority may, subject to the provisions of section 12,—

(a) in the case of an order of assessment—

(i) conform, reduce, enhance, or annual the assessment,

(ii) set aside the assessment and direct the assessing authority to make a fresh assessment after such further inquiry as may be directed; or

(b) in the case of any other order, confirm, cancel or vary such order.

(7) The appellate authority shall, on the conclusion of the appeal, communicate the orders passed by it to the assessee and the assessing authority.

(8) The orders passed by the appellate authority shall, subject to the provisions of section 13, be final and shall not be liable to be questioned in a court of law.

12. *Reference to District Court.*—(1) The appellate authority may, if it is satisfied either *suo motu* or on application by any party to an appeal under section 11 that the decision on the appeal involves a question of law, draw up a statement of the case and refer it to the District Court.

(2) If the District Court is not satisfied that the statement in a case referred under this section are sufficient to enable it to determine the question raised thereby, the court may refer the case back to the appellate authority to make such additions thereto or alterations therein as the court may direct in that behalf.

(3) The District Court, upon the hearing of any such case, shall decide the questions of law raised thereby and shall deliver its judgment

thereon containing the grounds on which such decision is founded and shall send a copy of such judgment under the seal of the court to the appellate authority which shall pass orders on the appeal in conformity with such judgment.

(4) For the purposes of this section, "District Court" means the District Court having jurisdiction over the area in which the building in respect of which building tax has been levied is situate.

13. *Powers of revision of the District Collector.*—The District Collector may at any time call for and examine the record of any proceeding pending before, or disposed of by, the appellate authority or the assessing authority and may pass such order in reference thereto as he thinks fit:

Provided that no such order shall be passed under this section without notice to the party who may be affected by the order:

Provided further that no order passed on the basis of a reference under section 12 to the extent covered by the answer to such reference shall be subject to revision by the District Collector.

14. *Rectification of mistakes.*—(1) The appellate authority or the revisional authority may, at any time within three years from the date of an order passed by it on appeal or revision, as the case may be, and the assessing authority may at any time within three years from the date of any assessment or order passed by it, of its own motion, rectify any mistake apparent from the record of the appeal, revision, assessment or order, as the case may be, and shall, within the like period, rectify any such mistake which has been brought to its notice by an assessee:

Provided that no such rectification shall be made which has the effect of enhancing an assessment or reducing a refund unless the assessee has been given a reasonable opportunity of being heard in the matter.

(2) Where any such rectification has the effect of reducing the assessment, the assessing authority shall make any refund which may be due to such assessee.

(3) Where any such rectification has the effect of enhancing the assessment or reducing a refund, the assessing authority shall serve on the assessee a notice of demad in the prescribed form specifying the sum payable; and such notice of demand shall be deemed to be issued under section 10 and the provisions of this Act shall apply accordingly.

15. *Revision of building tax when annual value is revised by local authority.*—(1) Where the annual value of a building fixed by a local authority is enhanced or reduced under the law governing that local authority on the ground that the annual value originally fixed was excessive or low, the building tax levied under this Act shall be revised by the assessing authority in conformity with such enhancement or reduction.

(2) The provisions of sections 10, 11, 12, 13, and 14 shall apply to an order passed by the assessing authority under sub-section (1) as if it were on order passed by it under section 9.

16. *Power to take evidence on oath etc.*—The assessing authority, the appellate authority, and the revisional authority shall, for the purposes of this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely:—

(a) enforcing the attendance of any person and examining him on oath or affirmation;

(b) compelling the production of documents;

(c) issuing commissions.

17. *Payment of building tax.*—Any amount specified as payable in a notice of demand under section 10, or an order under section 11 or an order under section 13, shall be paid in such number of instalments, within such time, at such place and to such person, as may be prescribed, and any assessee failing so to pay shall be deemed to be in default.

18. *Mode and time of recovery.*—(1) When building tax is not paid on the due date, the arrears of the tax shall bear interest at the rate of six per cent per annum from the date of default.

(2) The arrears of building tax and the interest if any, thereon shall be first charge on the building in respect of which it is payable, and, notwithstanding anything contained in any other law, the claim for such arrears and interest shall have precedence over the claim for any tax levied by a local authority, and such amount shall be recoverable under the law for the time being in force relating to the recovery of arrears of public revenue due on land.

19. *Refunds.*—(1) If any person satisfies the assessing authority that the amount of building tax paid by him exceeds the amount with which such person is properly assessable under this Act, he shall be entitled to a refund of such excess.

(2) The appellate authority in the exercise of its appellate powers or the revisional authority in the exercise of its revisional powers, if satisfied to the like effect, shall cause a refund to be made by the assessing authority of any amount found to have been wrongly paid or paid in excess.

20. *Limitation of claims for refund.*—No claim to any refund of building tax under section 19 shall be admitted unless it is made within one year from the date of the order of assessment or, where an appeal has been preferred or where there has been a revision, within one year from the order in appeal or revision, as the case may be.

21. *False statements in declaration.*—If any person makes a statement in a verification mentioned in section 7 or sub-section (2) of section 11 which

is false and which he either knows or believes to be false or does not believe to be true, he shall be deemed to have committed the offence described in section 177 of the Indian Penal Code (Central Act 45 of 1860).

22. *Failure to Furnish return.*—(1) If any person fails without reasonable cause or excuse to furnish in due time any return specified in sub-section (1) or sub-section (3) of section 7, the assessing authority, the appellate authority or the revisional authority may impose a penalty which may extend to five rupees for every day during which the deafult continues.

(2) The penalty imposed under sub-setcion (1) may be recovered in the same manner as arrears of building tax.

23. *Power of inspection.*—(1) The assessing authority or any officer authorised by the assessing authority, the appellate authority or the revisional authority in this behalf may, after due notice, at any time between sunrise and sunset, enter any building for the purpose of collecting particulars relating thereto or for taking measurements of the building or any repairs or improvements or any extensions or additions or combinations and may require the owner of the building or any other person in charge or in occupation of the building to produce for inspection any book, register or record kept therein and ask for any information relating to the building or the repairs or improvements or the additions or extensions or combinations, as the case may be, and the owner of the building or other person in charge or occupation shall be bound to afford facilities for taking measurements and for such inspection, and furnish such information as is available with him.

(2) Any person who obstructs the assessing authority or other officer authorised in the exercise of the powers conferred on it or him by sub-section (1) shall be punishable with imprisonment for a term which may extent to three months, or with fine which may extend to five hundred rupees, or with both.

24. *Prosecutions.*—(1) A person shall not be proceeded against for an offence under section 21 or section 23 except at the instance of such officer as may be authorised by the Government in this behalf.

(2) Before instituting proceedings against any person under sub-section (1), the officer authorised under that sub-section shall call upon such person to show cause why proceedings should not be instituted against him.

(3) The officer authorised under sub-section (1) may either before or after the institution of proceedings compound any such offence other than an offence under section 23.

25. *Manner of service of notice.*—(1) A notice or requisition under this Act may be served on the person therein named either by post or as if it were a summons issued by a civil court under the Code of Civil Procedure, 1908.

(2) Any such notice or requisition may, in the case of a firm, Hindu undivided family or Aliyasanthana family or branch or Marumakkathayam

tarwad or tavazhi or a family to which the provisions of the Kerala Namboodiri Act, 1958, apply, be addressed to any member of the firm or to the Manager, Ejaman or Karanavan, or any adult member of the family, tarwad, tavazhi or branch and, in the case of any other association of persons, be addressed to the principal officer thereof.

26. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the determination of the capital value of buildings and cost of major repairs and improvements to the buildings;

(b) the form of returns under section 7 and the manner in which they should be verified;

(c) the form of the notice of demand mentioned in section 10;

(d) the mode and manner of payment of building tax;

(e) the powers and duties of authorities and officers under this Act and the relations of the authorities to each other;

(f) the conditions of service of the assessing authorities and appellate authorities;

(g) the form in which appeals under this Act shall be presented and the manner in which they shall be verified;

(h) the form of application under section 12;

(i) the form of the notice of demand mentioned in sub-section (3) of section 14;

(j) the manner in which and the authority to whom applictaion for refund shall be made and the procedure to be followed in respect of such applications; and

(k) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid, or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

27. *Bar of suits in Civil Courts.*—No suit shall be brought in any civil court to set aside or modify any assessment made under this Act and no prosecution suit or other proceeding shall lie against the Government or any authority or officer for anything in good faith done or intended to be done under this Act.

28. *Computation of period of limitation.*—In computing the period of limitation prescribed for any appeal under this Act, the date on which the order complained of was made and the time requisite for obtaining a copy of such order shall be excluded.

29. *Building tax not to be taken into account in fixing fair rent.*—For the avoidance of doubt, it is hereby declared that in fixing the fair rent of a building under section 5 of the Kerala Building (Lease and Rent Control) Act, 1965 (2 of 1965), the rent control court shall not take into consideration the building tax that is payable in respect of the building under the provisions of this Act.

30. *Removal of difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the Government, as occasion may require, may by order do anything not inconsistent with the provisions of this Act for the purpose of removing the difficulty.

THE SCHEDULE

(*See* Section 5)

Rate of Building tax

	Capital value	*Rate of tax*
1.	Where the capital value of a building is Rs. 10,000 or less	NIL
2.	Where the capital value of a building exceeds Rs. 10,000	
	(a) on the first Rs. 10,000 of such excess	1 per cent
	(b) on the next Rs. 10,000 of such excess	2 per cent
	(c) on the next Rs. 20,000 of such excess	3.5 per cent
	(d) on the next Rs. 50,000 of such excess	8 per cent
	(e) on the balance	20 per cent

STATEMENT OF OBJECTS AND REASONS

As announced in the Budget Speech for 1970-71, it is proposed to introduce a non-recurring tax on buildings constructed, or in respect of which major repairs and improvements are undertaken, on or after the 1st April, 1970. The rate of tax is proposed to be fixed on a progressive scale at a percentage of the capital value of the building, the capital value being arrived at by multiplying the gross annual rent at which the building may be expected to let, by sixteen.

2. The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides that the Government may appoint such officers as they think fit to be assessing authorities and appellate authorities for the purposes of the Act. It is expected that the functions of the assessing authorities and appellate authorities could be performed by the appropriate officers of the Land Revenue Department. No expenditure would therefore be involved on account of the appointment of these authorities. But additional staff comprising of one Upper Division Revenue Inspector and one Upper Division Clerk would be necessary in each Taluk Office to assist the assessing authorities in performing their functions. The approximate expenditure on the additional staff works out as follows:—

Monthly pay and allowances of one Upper Division Revenue Insp ecto (130-270) and one Upper Division Clerk:

Average pay	Rs. 202 x 2	..	404
D. A.	Rs. 122 x 2	..	244
Adhoc Increase	Rs. 31 x 2	..	62
H. R. A.	Rs. 7 x 2	..	14
Total	Rs. 362 x 2	..	724

Total No. of Taluks: 57

Annual expenditure in respect of 57 Taluk— 724 x 57 x 12:	4,95,216
P. T. A. at Rs. 40 P. M. for the Revenue Inspectors	27,360
Grand Total	5,22,576

2. It is expected that increase, if any, in the office expenditure in the Taluk Offices consequent on the creation of the above staff will only be nominal and can be accommodated within the departmental Budget. The total recurring expenditure when the Bill is enacted and brought into operation is therefore estimated at Rs. 5,23,000 per annum. No non-recurring expenditure is involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill seeks to empower the Government to appoint, by notification in the Gazette, assessing authorities and appellate authorities for the purposes of the Act. Clause 26 of the Bill seeks to empower the Government to make rules for carrying out the purposes of the Act. The matters in respect of which rules may be made relate, *inter alia*, to the determination of the capital value of buildings and cost of major repairs and improvements to buildings, the form of notice of demand to be served on assessees, the mode and manner of payment of building tax and the form in which appeals shall be presented and the manner in which they shall be verified.

2. The matters in respect of which notifications may be issued or rules may be made are matters of administrative or routine nature or matters of detail. Further, the rules after they are made are subject to scrutiny of the Legislative Assembly. The delegation of legislative power is thus of a normal character.

DR. K. G. ADIYODI